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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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Janet Boggs

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Wells St John
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EXAMINER

MRUK, BRIAN P

ART UNIT

PAPER NUMBER

1796

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DELIVERY MODE

01/15/2009

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/587,479	Applicant(s) BOGGS ET AL.	
	Examiner Brian P. Mruk	Art Unit 1796	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 1 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 20 June 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-34 and 71-96 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☐ Claim(s) _____ is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☒ Claim(s) 1-34 and 71-96 are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Election/Restrictions

1. This application contains claims directed to more than one species of the generic invention. These species are deemed to lack unity of invention because they are not so linked as to form a single general inventive concept under PCT Rule 13.1.

The species are as follows:

1) **For independent claim 1**, the following species exist for the variable R_f :

- A) R_f is a $-\text{CH}_2-$ group (claim 5)
- B) R_f is a cyclic group (claim 6)
- C) R_f is an aromatic group (claim 7)
- D) R_f is at least one $(\text{CF}_3)_2\text{CF}-$ group (claim 8)
- E) R_f is at least three CF_3 (claim 9)
- F) R_f is at least two $(\text{CF}_3)_2\text{CF}-$ groups (claim 10)
- G) R_f is at least 4 carbons and one of the 4 carbons is a $-\text{CH}_2-$ group (claim 11)

2) **For independent claim 1**, the following species exist for the variable $R_f\text{-}Q_s$:

- A) $R_f\text{-}Q_s$ is the structure represented in claim 12
- B) $R_f\text{-}Q_s$ is the structure represented in claim 13
- C) $R_f\text{-}Q_s$ is the structure represented in claim 14
- D) $R_f\text{-}Q_s$ is the structure represented in claim 15

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- E) R_f-Q_s is the structure represented in claim 16
- F) R_f-Q_s is the structure represented in claim 17
- G) R_f-Q_s is the structure represented in claim 18
- H) R_f-Q_s is the structure represented in claim 19
- I) R_f-Q_s is the structure represented in claim 20
- J) R_f-Q_s is the structure represented in claim 21
- K) R_f-Q_s is the structure represented in claim 22
- L) R_f-Q_s is the structure represented in claim 23
- M) R_f-Q_s is the structure represented in claim 24
- N) R_f-Q_s is the structure represented in claim 25
- O) R_f-Q_s is the structure represented in claim 26
- P) R_f-Q_s is the structure represented in claim 27
- Q) R_f-Q_s is the structure represented in claim 28
- R) R_f-Q_s is the structure represented in claim 29
- S) R_f-Q_s is the structure represented in claim 30
- T) R_f-Q_s is the structure represented in claim 31
- U) R_f-Q_s is the structure represented in claim 32
- V) R_f-Q_s is the structure represented in claim 33
- W) R_f-Q_s is the structure represented in claim 34

3) **For independent claim 71**, the following species exist for the variable R_f :

- A) R_f is a $-CH_2-$ group (claim 72)

- B) R_f is a cyclic group (claim 73)
- C) R_f is an aromatic group (claim 74)
- D) R_f is at least one $(CF_3)_2CF-$ group (claim 75)
- E) R_f is at least three CF_3 (claim 76)
- F) R_f is at least two $(CF_3)_2CF-$ groups (claim 77)
- G) R_f is at least 4 carbons and one of the 4 carbons is a $-CH_2-$ group
(claim 78)

4) **For independent claim 71**, the following species exist for the variable R_f-Q_{fs} :

- A) R_f-Q_{fs} is the structure represented in claim 79
- B) R_f-Q_{fs} is the structure represented in claim 80
- C) R_f-Q_{fs} is the structure represented in claim 81
- D) R_f-Q_{fs} is the structure represented in claim 82
- E) R_f-Q_{fs} is the structure represented in claim 83
- F) R_f-Q_{fs} is the structure represented in claim 84
- G) R_f-Q_{fs} is the structure represented in claim 85
- H) R_f-Q_{fs} is the structure represented in claim 86
- I) R_f-Q_{fs} is the structure represented in claim 87
- J) R_f-Q_{fs} is the structure represented in claim 88
- K) R_f-Q_{fs} is the structure represented in claim 89
- L) R_f-Q_{fs} is the structure represented in claim 90
- M) R_f-Q_{fs} is the structure represented in claim 91

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N) R_f-Q_{fs} is the structure represented in claim 92

O) R_f-Q_{fs} is the structure represented in claim 93

P) R_f-Q_{fs} is the structure represented in claim 94

Q) R_f-Q_{fs} is the structure represented in claim 95

R) R_f-Q_{fs} is the structure represented in claim 96

2. Applicant is required, in reply to this action, to elect a single species to which the claims shall be restricted if no generic claim is finally held to be allowable. The reply must also identify the claims readable on the elected species, including any claims subsequently added. An argument that a claim is allowable or that all claims are generic is considered non-responsive unless accompanied by an election.

Upon the allowance of a generic claim, applicant will be entitled to consideration of claims to additional species which are written in dependent form or otherwise include all the limitations of an allowed generic claim as provided by 37 CFR 1.141. If claims are added after the election, applicant must indicate which are readable upon the elected species. MPEP § 809.02(a).

3. The following claim(s) are generic: Claims 1 and 71 are generic.

4. The species listed above do not relate to a single general inventive concept under PCT Rule 13.1 because, under PCT Rule 13.2, the species lack the same or corresponding special technical features for the following reasons: Prior art that would

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anticipate or render obvious one species would not necessarily anticipate or render obvious the other species.

5. A telephone call was made to Robert Hyta on January 15, 2009 to request an oral election to the above restriction requirement, but did not result in an election being made.

Applicant is advised that the reply to this requirement to be complete must include (i) an election of a species or invention to be examined even though the requirement may be traversed (37 CFR 1.143) and (ii) identification of the claims encompassing the elected invention.

The election of an invention or species may be made with or without traverse. To preserve a right to petition, the election must be made with traverse. If the reply does not distinctly and specifically point out supposed errors in the restriction requirement, the election shall be treated as an election without traverse.

6. Applicant is reminded that upon the cancellation of claims to a non-elected invention, the inventorship must be amended in compliance with 37 CFR 1.48(b) if one or more of the currently named inventors is no longer an inventor of at least one claim remaining in the application. Any amendment of inventorship must be accompanied by a request under 37 CFR 1.48(b) and by the fee required under 37 CFR 1.17(i).

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7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brian P. Mruk whose telephone number is (571) 272-1321. The examiner can normally be reached on Mon-Thurs (7:00 AM-5:30 PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Harold Pyon can be reached on (571) 272-1498. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Brian P Mruk/
Primary Examiner, Art Unit 1796

Brian P Mruk
January 15, 2009

Brian P Mruk
Primary Examiner
Art Unit 1796